

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services Agency	(2) MEETING DATE 4/2/2013	(3) CONTACT/PHONE Janette Pell, General Services Agency Director 805-781-5200	
(4) SUBJECT Request to approve a temporary waiver of deed restriction on Port San Luis Harbor District's parking lot at First and San Francisco Streets in Avila Beach. District 3.			
(5) RECOMMENDED ACTION It is recommended that your Board approve the Agreement for Temporary Waiver of Deed Restriction and instruct the Chairperson to sign the amendment.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$1,000 revenue	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Vincent Morici			
(18) SUPERVISOR DISTRICT(S) District 3 -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: General Services Agency
Janette Pell, General Services Agency Director
805-781-5200

DATE: 4/2/2013

SUBJECT: Request to approve a temporary waiver of deed restriction on Port San Luis Harbor District's parking lot at First and San Francisco Streets in Avila Beach. District 3.

RECOMMENDATION

It is recommended that your Board approve the Agreement for Temporary Waiver of Deed Restriction and instruct the Chairperson to sign the amendment.

DISCUSSION

The County of San Luis Obispo transferred ownership and operation of a large parking lot located at First Street and San Francisco Street in Avila Beach to the Port San Luis Harbor District ("Harbor District") in 1983. The deed contains a restriction stating that the parking lot shall be "substantially open and available for public parking and unencumbered by any commercial or residential development." The restriction further clarifies that "not less than 300 parking spaces located in said parking lot shall be available for use by the general public not less than 365 days per year."

Stage 5 of the Amgen Tour of California 2013 will be terminating in Avila Beach on May 16, 2013, and thousands of cycling enthusiasts are expected to attend. AEG Cycling, LLC, organizer of the Amgen tour, has requested to use the Harbor District's parking lot to stage events related to the race and the concurrent Lifestyle Festival, but such use would be prohibited by the deed restriction. In order compensate for the loss of parking spaces and to reduce traffic congestion in Avila Beach, event planners intend to create shuttle points to transport people from locations outside of the town.

Approval of the attached Agreement for Temporary Waiver of Deed Restriction ("Agreement") would waive the deed restriction for two days, May 15 and 16, 2013. The Agreement would allow the Harbor District to contract with Amgen for exclusive use of the parking lot for those two days.

OTHER AGENCY INVOLVEMENT/IMPACT

Planning for Stage 5 of the Amgen Tour of California 2013 has been coordinated by the County Administrative Office, Planning, Public Works, Parks, Sheriff's Office, Cal Fire and California Highway Patrol. The Harbor District has requested the County waive the deed restriction in their letter dated February 11, 2013, which is an exhibit to the Agreement.

FINANCIAL CONSIDERATIONS

AEG Cycling, LLC, has paid the County one thousand dollars (\$1,000), which is the estimated cost of County staff hours associated with preparing the Agreement. AEG Cycling will be contracting directly with the Harbor District for use of the parking lot and any associated payment.

RESULTS

Approval of this Agreement will temporarily waive the deed restriction on the Port San Luis Harbor District's parking lot in Avila Beach to allow it to be used on May 15-16, 2013 for staging and other events related to the Amgen Tour of California 2013.

ATTACHMENTS

1. Location Map
2. Agreement